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ATTORNEY DOCKET NO. 040894-7448

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|  |   |                              |
|--|---|------------------------------|
| In re Application of:                  | ) |                              |
|  | ) |                              |
| Etsuo KAWATE                           | ) |                              |
|  | ) |                              |
| Application No.: 10/579,781            | ) | Group Art Unit: 2877         |
|  | ) |                              |
| Filed: January 31, 2007                | ) | Examiner: Gregory J. Toatley |
|  | ) |                              |
| For: <b>METHOD AND INSTRUMENT FOR</b>  | ) |                              |
| <b>MEASURING COMPLEX DIELECTRIC</b>    | ) |                              |
| <b>CONSTANT OF A SAMPLE BY OPTICAL</b> | ) |                              |
| <b>SPECTRAL MEASUREMENT</b>            | ) |                              |

**Commissioner for Patents**  
Alexandria, VA 22314

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

The documents listed were cited in a Japanese Office Action from a corresponding Japanese patent application. A copy of the Japanese Office Action is enclosed for the Examiner's consideration along with an English translation. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

The following are listed on the accompanying PTO-1449 and are in a language other than English.

a. JP-2004-247956. The relevance of this document can be understood from the Japanese Office Action, the attached English language abstract and the figures therein.



This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

A handwritten signature in black ink, appearing to read "RJG".

Robert J. Goodell, Reg. No. 41,040

Date: March 14, 2008

**Customer No.: 09629**

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